



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

DEC 03 2013

Mr. Andrew Petersen
Bemis Company, Inc.
3514 S. 25th Street
Omaha, NE 68105

Ref No.: 13-0197

Dear Mr. Petersen:

This is a response to your October 17, 2013 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) with regard to the construction of DOT specification 5M2 paper bags. In your email you describe the bag as three-ply, with a paper ply innermost layer coated with a water-resistant polymer facing inward (towards the product), a middle paper ply layer, and an outermost layer of paper ply having a water-resistant polymer coating facing inward. You seek clarification that the construction of your specification 5M2 paper bag meets the standards of § 178.521.

In accordance with § 178.521(b)(2), a 5M2 bag of three plies must be made waterproof by the use of a water-resistant ply as the outermost ply. When there is danger of the lading reacting with moisture, or when it is packed damp, a waterproof ply or barrier, such as double-tarred kraft paper, plastics-coated kraft paper, plastics film bonded to the inner surface of the bag, or one or more inner plastics liners, must also be placed next to the substance. The requirements for DOT specification 5M2 paper bags in § 178.521 do not specify the orientation (i.e. inward or outward facing) of the water-resistant coating on the outermost. Provided your paper bag meets the requirements of this section and all seams and closures are waterproof, the method of construction you described would be acceptable.

I hope this information is helpful. If you have any more questions, please do not hesitate to contact this office.

Sincerely,

Robert Benedict
Chief, Standards Development
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Suchak
§ 178.521
Paper Bags
13-0197

From: INFOCNTR (PHMSA)
Sent: Thursday, October 17, 2013 3:19 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Request for clarification

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,
Victoria

From: Petersen, Andrew G [<mailto:AGPetersen@bemis.com>]
Sent: Thursday, October 17, 2013 3:09 PM
To: INFOCNTR (PHMSA)
Subject: Request for clarification

I would like to request a formal notification that the following construction meets the requirements of title 49 CFR 178.521 Standards for Paper Bags:

Plies from inside to outside

Wall 1: water resistant polymer coated paper ply with polymer coating facing inward (towards product)
Wall 2: Paper ply
Wall 3: water resistant polymer coated paper ply with polymer coating facing inward

The specific clarification is whether the outer ply of a three wall paper bag may have the water resistant portion of the water resistant sheet facing inward (toward the product).

On 10/17/2013 I spoke with Ben Moore from Packaging Engineering and his guidance was that since the regulation does not specify orientation the manufacturer can face the ply inward or outward.

Thanks,

Andrew Petersen

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